REMARKS

I. INTRODUCTION

Claims 1 and 5 have been amended. Claim 10 was previously cancelled. No new matter has been added. Thus, claims 1-9 and 11 remain pending in the present application. Support for the amendments can be found at least at ¶ [0027] of the published specification. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN

Claims 1-8 and 10 stand rejected under 35 U.S.C. §102(b) for being anticipated by Twiss et al. (U.S. Patent No. 5,375,596).

Claim 1 has been amended and now recites "[a] catheter system, comprising: a first catheter element with at least a first active localizer corresponding to a portion of the first catheter element, the first active localizer indicating a spatial position of the portion of the first catheter element; and a second catheter element with at least a second active localizer corresponding to a portion of the second catheter element, the first active localizer indicating a spatial position of the portion of the second catheter element, wherein the first and the second catheter element are slidably coupled, and *wherein the first and the second active localizers simultaneously indicate the spatial positions of the portions of the first and second catheter elements*."

Twiss discloses a transmitter/detector unit 2, a guidewire assembly 22, and a catheter assembly 30. *See*, Twiss, col. 4, lines 16-21. Both the guidewire assembly and the catheter assembly may have antennas, which communicate with transmitter/detector unit 2. *See, Id.* The guidewire assembly 22 has two antennas, first antenna 28 and a second antenna that is a combination of conductive mass 24 and wire 26. *See, Id.* at col. 4, line 68 – col. 5, line 14. However, the combination of these two antennas cannot be

the first and second localizers of claim 1 because they are coupled to the same guidewire assembly 22. In contrast, claim 1 recites "a first catheter element with at least a first active localizer" and "a second catheter element with at least a second active localizer." The guidewire assembly cannot be both the first and second catheter elements.

Twiss also discloses a fine wire antenna 32 in catheter assembly 30. *See, Id.* at col. 5, lines 27-32. The Examiner analogizes the first antenna 28 of the guidewire assembly 22 and the fine wire antenna 32 of the catheter assembly 30 to the first and second active localizers of claim 1. *See,* 8/18/09 Office Action, p. 3. With respect to the recitation of "simultaneously" in claim 1, the Examiner states that "the first (28) and the second (32) active localizers are capable of being used simultaneously to determine the spatial positions of the first and second active localizers . . ." *See, Id.* Applicants respectfully disagree.

Twiss discloses that:

> It is intended that antenna 32 will be used in post catheter/tube insertion after guidewire 22 has been removed from the interior of tube 34, however, it could also be used with guidewire 22 still in place thus making antenna 28 unnecessary.

See, Twiss col. 5, lines 38-42.

Thus, Twiss describes two alternative uses of the antennas 32 and 28. In the first intended use, the antenna 32 "will be used . . . after guidewire 22 has been removed." In this intended use the antenna 32 is not used until the guidewire and its corresponding antenna 28 has been removed, therefore, the antennas 28 and 32 are not used "simultaneously" because when antenna 32 is used, antenna 28 is no longer within the tube. In the alternative embodiment, Twiss states that guidewire 22 could still be in place, but that makes antenna 28 "unnecessary." Therefore, even with both the guidewire 22 and the catheter 30 present, Twiss never teaches that the two antennas *simultaneously indicate the spatial positions*" as recited in claim 1.

For the sake of completeness, Applicants also note that Twiss discloses that "the use of guidewire antenna 24 and catheter antenna 32 would require the movement of clip 18." *See*, Twiss col. 5, lines 43-44. That is, the guidewire antenna 24 and the catheter antenna 32 cannot be used simultaneously.

Accordingly, Applicants respectfully submit that Twiss neither teaches nor suggests " the first and the second active localizers simultaneously indicate the spatial positions of the portions of the first and second catheter elements" as recited in claim 1. Because Twiss fails to teach or suggest this limitation, it is respectfully submitted that claim 1 and its dependent claims 2-5 are allowable over Twiss.

Claim 7 recites "a) determining a spatial position of the first active localizer relative to the vascular system; and b) determining a spatial position of the second active localizer relative to the spatial position of the first active localizer, wherein the determining steps are performed substantially simultaneously." Therefore, it is respectfully submitted that claim 7 and its dependent claim 8 are also allowable over Twiss for at least the forgoing reasons presented with regard to claim 1.

III. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

Claims 6 and 11 stand rejected under 35 U.S.C. §103(a) for being obvious over Twiss. Claims 6 and 11 depend from claim 1 and therefore are allowable for the reasons described above with respect to claim 1.

Claim 9 stands rejected under 35 U.S.C. §103(a) for being obvious over Twiss in view of Kucharczyk et al. (U.S. Published App. No. 2006/0074295).

Applicants respectfully submit that Kucharczyk fails to cure the above described deficiencies of Twiss with respect to claim 7. Because claim 9 depends on and, therefore, contains all of the limitations of claim 7, it is respectfully submitted that claim 9 is allowable.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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